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BRYAN J. FREEDMAN

May 13, 2025

Via ECF

Hon. Lewis J. Liman
United States District Court
Southern District of New York
500 Pearl Street, Room 1620
New York, NY 10007

**Re: *Lively v. Wayfarer Studios LLC et al.*, No. 1:24-cv-10049-LJL;
rel. *Wayfarer Studios LLC et al. v. Lively et al.*, No. 1:25-cv-00449-LJL**

Dear Judge Liman:

We write in opposition to Blake Lively’s (“Lively”) motion to compel certain non-party individuals (collectively, the “Non-Parties”) to comply with subpoenas (the “Subpoenas”) (the “Motion”). (Dkt. 200).

The Subpoenas do not call for compliance within this District but rather in California and Georgia. (Dkt. 200-1; Dkt. 200-2; Dkt. 200-3; Dkt. 200-4 Dkt. 200-5; Dkt. 200-6 Dkt. 200-7; Dkt. 200-8). Federal Rule of Civil Procedure 37(a)(2) provides: “A motion for an order to a nonparty must be made in the court where the discovery is or will be taken.” (Fed. R. Civ. P. 37(a)(2)). Under Rule 45(d)(2)(B)(i), the party that served a subpoena “may move the court for the district where compliance is required for an order compelling production....” (Fed. R. Civ. P. 45(d)(2)(B)(i)). Therefore, the Non-Parties respectfully note that this Court lacks jurisdiction to compel their compliance with the Subpoenas. *See, e.g., Greater Chautauqua Fed. Credit Union v. Quattrone*, No. 22-cv-2753, 2024 WL 497521, at *1 (S.D.N.Y. Jan. 3, 2024) (denying motion to quash subpoena and cross-motion to compel compliance with the same because compliance was required in the Northern District of New York). Nonetheless, as repeatedly conveyed to Lively’s counsel, the Non-Parties assure the Court that they are diligently searching for non-privileged, relevant documents responsive to the Subpoenas and within their possession, custody, or control, and will produce them as soon as reasonably practicable.

With respect to non-privileged, relevant documents responsive to the Subpoenas that reside on Wayfarer Studios LLC’s (“Wayfarer”) servers or databases—such as emails to or from a Wayfarer email account used by one of the Non-Parties—Wayfarer has already assured Lively that any such documents will be produced by Wayfarer. Notably, neither Lively nor her husband/Consolidated Defendant, Ryan Reynolds, has produced a single document. Moreover,

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both Lively and Reynolds have categorically refused to provide any information regarding the process by which they (allegedly) searched for documents responsive to the Wayfarer Parties' requests. All that is known, though not disclosed by Lively, is that she improperly obtained defendant Jennifer Abel's documents from Jonesworks LLC pursuant to a so-called "subpoena" issued in a sham lawsuit filed without notice to any of the Wayfarer Parties, as detailed in our letter dated May 9, 2025 (Dkt. 204).

We respectfully request that the Court deny Lively's Motion.

Respectfully submitted,

/s/ Bryan J. Freedman
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cc: all counsel of record (via ECF)